

Message Text

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PAGE 01 STATE 064375
ORIGIN L-03

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FM SECSTATE WASHDC
TO AMEMBASSY MEXICO

UNCLAS STATE 064375

E.O. 11652: N/A
TAGS: EFIS, MX
SUBJECT: US-MEXICO FISHERIES AGREEMENT

1. LANGUAGE SERVICES HAS REVIEWED THE TEXTS OF US-MEXICO FISHING AGREEMENT SIGNED NOVEMBER 24, 1976 AND UNCOVERED A NUMBER OF DISCREPANCIES BETWEEN ENGLISH AND SPANISH TEXTS. EMBOFF REQUESTED TO CONTACT EXTERNAL RELATIONS TO REQUEST FOLLOWING CORRECTIONS IN FINAL PRINTED VERSIONS. REFERENCE ARE TO ENGLISH TEXT.

2. ART. XX, PARA. 1, LINES 4-6: BOTH TEXTS ARE IN ERROR. THEY SHOULD REFER TO QTE THE LAW OF THE SEA OR (REPEAT OR) THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA UNQTE. THE WORD QTE OF UNQTE IN THE ENGLISH, AND THE WORD QTE IN UNQTE IN SPANISH SHOULD BE CHANGED TO QTE OR UNQTE.

3. THE SIGNATURE BLOCKS IN THE ENGLISH TEXT DO NOT INCLUDE THE TITLES CONTAINED IN THE SPANISH AND SHOULD BE CORRECTED TO INCLUDE QTE AMBASSADOR EXTRAORDINARY AND UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 064375

PLENIPOTENTIARY UNQTE AND QTE SECRETARY OF EXTERNAL RELATIONS UNQTE TO CONFORM TO THE SPANISH.

4. IN THE ANNEX, PART I, PARA. 4(A) LINES 5-7 AND PART III, PARA 9(A), LINES 11-14: THE ENGLISH REFERS TO QTE VESSELS APPLYING IN ASSOCIATION WITH OTHERS, WITH JOINT LIABILITY FOR LOSS OF THE CASH GUARANTEE OR THE BOND FOR

THOSE APPLYING IN ASSOCIATION UNQTE. THE SPANISH REFERS TO QTE VESSEL OWNERS OR OPERATORS APPLYING IN ASSOCIATION WITH OTHER, WITH THE UNDERSTANDING THAT THOSE APPLYING IN ASSOCIATION WILL BE JOINTLY AND SEVERALLY LIABLE IN THE EVENT THAT THE CASH GUARANTEE OR BOND IS FORFEITED UNQTE. THE PRACTICAL SUBSTANTIVE DIFFERENCE IS BETWEEN JOINT LIABILITY VICE JOINT AND SEVERAL LIABILITY AND THE ENGLISH TEXT IS WHAT WAS AGREED.

5. IN THE ANNEX PART III, PARA. 8(B), LINES 11-13: THE ENGLISH READS QTE. IF LESS THAN THAT NUMBER OF VESSELS APPLY TO FISH, AT THE REQUEST OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA, LESS THAN 450 METRIC TONS SHALL BE AUTHORIZED. UNQTE. THE SPANISH READS QTE. IF THE REQUEST OF THE UNITED STATES GOVERNMENT IS MADE FOR LESS THAN THAT NUMBER OF VESSELS, LESS THAN 450 METRIC TONS SHALL BE AUTHORIZED...UNQTE. THE DIFFERENCE IS SUBSTANTIVE (THE ENGLISH IS CONDITIONAL) AND THE ENGLISH SHOULD BE FOLLOWED.

6. IN THE ANNEX PART III, PARA 8 (C) LINE 2: THE SPANISH TEXT SHOULD REFER TO 12 NAUTICAL RPT NAUTICAL MILES, TO CORRESPOND WITH THE ENGLISH.

7. IN THE ANNEX, PART III, PARA 9 (A), A LINE WAS OMITTED BETWEEN LINES 11 AND 12 OF THE ENGLISH TEXT THAT SHOULD READ QTE INDIVIDUALLY, OR 160 US DOLLARS FOR VESSELS APPLYING UNQTE.

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UNCLASSIFIED

PAGE 03 STATE 064375

IM IN THE ANNEX, PART III, PARA. 9(F): THE HEADING IN THE LAST COLUMN OF THE TABLE IN THE ENGLISH TEXT REFERS TO QTE CATCH CHARGES UNQTE WHEREAS THE SPANISH REFERS TO QTE CATCH CHARGES PER VESSEL UNQTE. THE ENGLISH SHOULD BE CHANGED TO CONFORM TO THE SPANISH.

9. THE EMBASSY SHOULD SEND A NOTE TO THE DEPARTMENT OF EXTERNAL RELATIONS REQUESTING THAT THE CORRECTIONS INDICATED ABOVE BE MADE ON THE ORIGINAL ENGLISH AND SPANISH TEXTS OF THE AGREEMENT IN ITS POSSESSION. AS SOON AS THE EMBASSY RECEIVES A NOTE FROM GOM STATING THAT THESE CORRECTIONS HAVE BEEN MADE, ANY COPIES OF THE AGREEMENT IN THE EMBASSY SHOULD BE CORRECTED AS WELL. THE ORIGINAL NOTE, AS WELL AS CERTIFIED COPY OF EMBASSY NOTE REGARDING CORRECTIONS, SHOULD BE SENT TO THE DEPARTMENT, ATTENTION ASSISTANT LEGAL ADVISOR FOR TREATY AFFAIRS. THE ORIGINALS IN THE DEPARTMENT WILL THEN BE CORRECTED ACCORDINGLY BEFORE PRINTING IN THE TREATIES AND OTHER INTERNATIONAL ACTS SERIES (TIAS).

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Sent Date: 23-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
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